

EXHIBIT A

SUSAN HALL

09/21/2017

The Estate of Robert M. Adelman

1

2 IN THE CIRCUIT COURT OF THE 11TH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA
3 PROBATE DIVISION

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4

5 IN RE: THE ESTATE OF ROBERT M. ADELMAN

6 CASE NO. 2016-001314-CP-02

7

8 -----X

9

10 DATE: September 21, 2017

11 TIME: 10:34 a.m.

12

13 DEPOSITION of SUSAN HALL, taken
14 by the Attorneys for the Estate of Robert
15 Adelman, pursuant to a Discovery
16 Proceeding, held at the offices of Carr,
17 200 Park Avenue, New York, New York 10166,
18 before Diane Buchanan, a Notary Public of
19 the State of New York.

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<p>1 2 APP E A R A N C E S: 3 4 GRAY ROBINSON, P.A. Attorney for SAMANTHA REAY, PERSONAL 5 REPRESENTATIVE OF THE ESTATE OF ROBERT ADELMAN 6 333 S.E. Second Avenue, Suite 3200 Miami, Florida 33131 7 BY: KAREN L. STETSON, ESQ. Florida Bar #: 742937 Karen.stetson@gray-robinson.com 8 9 10 TABLES LAW GROUP, P.A. 11 Attorneys for SAMANTHA REAY, PERSONAL REPRESENTATIVE OF THE ESTATE OF ROBERT 12 ADELMAN 2600 SW 3rd Avenue, Suite 350 13 Miami, Florida 33129 BY: RYAN TABLES, ESQ. 14 Florida Bar #: 57599 rtables@gmail.com 15 16 * * *</p>	<p>Page 2</p> <p>1 2 Q. It was a car accident case? 3 A. Not car because it was a 4 physical. 5 Q. Automobile, whatever. It was 6 an accident case, right? 7 A. Yes. 8 Q. All right. So I just wanted 9 to, before we start, just give you a few 10 sort of rules of how this is being 11 conducted. You need to answer my questions 12 to the best of your ability. You 13 understand that? 14 A. Yes. 15 Q. Okay. And you need to answer 16 all questions verbally -- 17 A. Yes. 18 Q. -- audibly for the benefit of 19 the court reporter instead. You can't just 20 shake your head or whatever. 21 A. Yes. 22 Q. So when we ask questions you 23 need to answer verbally. And if you don't 24 understand my question, you can ask me to 25 clarify some aspect of the question that</p>
<p>2</p>	<p>4</p>
<p>1 2 S U S A N H A L L , called as a witness, 3 having been first duly sworn by a Notary 4 Public of the State of New York, was 5 examined and testified as follows: 6 EXAMINATION BY 7 MS. STETSON: 8 Q. Please state your name and address? 9 A. Susan Hall, 115 East 34th Street, Number 844, New York, New York 10 10016. 11 Q. Now, have you ever had your deposition taken before? 12 A. Yes. 13 Q. When was that? 14 A. 19 -- gosh, somewhere in the mid-'90s. 15 Q. And just the one time before? 16 A. Yes. 17 Q. And was that in connection with a litigation, a lawsuit? 18 A. Yes. 19 Q. What was that lawsuit about? 20 A. I had been run over by a truck.</p>	<p>Page 3</p> <p>1 2 S. HALL 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p>3</p>	<p>5</p>

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1	S. HALL	1	S. HALL
2	photographs if they wanted to?	2	circumstances under which -- because it was
3	A. No.	3	very fuzzy to me the circumstances under
4	Q. Why not?	4	which you first became aware that Bob did
5	A. They weren't given those	5	not agree with your position on joint
6	rights.	6	ownership, all right.
7	Q. I just asked you: These option	7	Now, how did you become aware
8	agreements, were they prohibited from using	8	of that? Was that, I think you said
9	the photographs?	9	that -- I'm trying to pin this down a
10	A. I don't believe they were	10	little bit. Was it in connection with
11	prohibited.	11	receiving one of these film options or was
12	Q. So, again, do you say they	12	there a particular deal or a publication or
13	couldn't use it?	13	something that happened that kind of, you
14	A. I'm sorry, I'm not really -- I	14	know, brought it to light?
15	think step by step I was approached to	15	A. I decided that I wanted to
16	provide the story I was going to work on	16	clear the relationship up.
17	and did some work for the Dino De	17	Q. Was it unclear at that point?
18	Laurentiis, I did some work on the Max	18	A. I felt it was unclear. I
19	Palevsky and I always worked with Woodie	19	cannot tell you what the precipitating
20	King. And it was a story and nobody wanted	20	event was.
21	to put those photographs up in the film.	21	Q. So sometime in the early '90s
22	But how that would have worked, I don't	22	you took it upon yourself to try to get
23	know. Everybody is terrified of Bob they	23	clarity and that was with respect to all of
24	probably would have gotten a second	24	the books at issue, right, all six or
25	agreement or something.	25	whatever, right?
	54		56
		Page 55	Page 57
1	S. HALL	1	S. HALL
2	Q. Just hypothetically if these	2	At that point in time you felt
3	agreements provided for the use of the	3	there was a lack of clarity in the
4	books, let's just say these agreements said	4	relationship, in the legal relationship if
5	we get to use these books --	5	you will, and specifically with regard to
6	A. They get to use the story.	6	the copyright or more than just the
7	Q. I'm talking, okay.	7	copyrights?
8	Let's say these agreements	8	A. It was focused on the
9	which we don't have in front of us provide	9	copyright.
10	for the use of the books, that that's what	10	Q. So at that point recognizing
11	they say and that they don't specify text	11	there was a lack of clarity and wanting to
12	only, photos only.	12	get clarity, you what, approached Bob about
13	Then would you agree with me	13	the copyrights; how did you go about that?
14	that they would then have the right to use	14	A. I hired a lawyer. And the
15	whichever they wanted regardless of	15	small claims is the end of that process,
16	whatever your understanding might be of	16	not the beginning.
17	what they intended to do, pointing about if	17	Q. We will get to that, okay.
18	the agreement gave them the right to use	18	So you hired a lawyer because,
19	the book, they could use all parts of the	19	you know, you recognized there was a lack
20	book unless the agreement said otherwise?	20	of clarity and wanted to get it cleared up?
21	Isn't that true or you don't really know	21	A. I also was somewhat unclear and
22	because you are not a lawyer?	22	I wanted to have -- as I have done in the
23	A. I don't really know.	23	past year, I wanted to have -- really
24	Q. Okay, fair enough.	24	understand why what I thought I understood
25	Let's go back to the	25	but was battered down on was really the
	55		57

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<p style="text-align: center;">S. HALL</p> <p>1 legal, the legal matter.</p> <p>2 Q. So at that time, what lawyer</p> <p>3 4 did you hire?</p> <p>5 A. Judith Gobim, G-O-B-I-M. She</p> <p>6 was at Patterson Belknap.</p> <p>7 Q. You made reference to the small</p> <p>8 claims matter. Did you have counsel</p> <p>9 represent you for the small claims matter?</p> <p>10 A. Judith and I -- they negotiated</p> <p>11 for a year and a half. I didn't negotiate;</p> <p>12 Judith did.</p> <p>13 Q. What was she trying to</p> <p>14 negotiate on your behalf with Bob?</p> <p>15 A. To clear up the joint</p> <p>16 copyright, which she examined the records</p> <p>17 on and thought was clear.</p> <p>18 Q. And Bob didn't agree with that?</p> <p>19 A. No.</p> <p>20 Q. Was Bob represented by counsel</p> <p>21 during those representations?</p> <p>22 A. God only knows. His</p> <p>23 relationship with John Horan is a hornet's</p> <p>24 nest.</p> <p>25 Q. All right. Well, you can only</p>	<p style="text-align: center;">Page 58</p> <p>1 S. HALL</p> <p>2 by "divide the properties"?</p> <p>3 A. I would take the entire</p> <p>4 copyright, and I think I asked for</p> <p>5 Gentlemen of Leisure and Out of Left Field,</p> <p>6 and gave him Down Home and Ladies of the</p> <p>7 Night. And the two children's books, we</p> <p>8 just split. Street Smart and On and Off</p> <p>9 the Street are children's books.</p> <p>10 Q. When you say "split," in other</p> <p>11 words, each take one?</p> <p>12 A. Yes.</p> <p>13 Q. So basically you would each end</p> <p>14 up with full copyright of three books,</p> <p>15 three books?</p> <p>16 A. Yes.</p> <p>17 Q. And I assume that Bob and/or</p> <p>18 his representative did not agree with that?</p> <p>19 A. Bob didn't agree with anything</p> <p>20 ever.</p> <p>21 Q. But, I mean, this proposal Bob</p> <p>22 didn't agree to?</p> <p>23 A. It was the last one before we</p> <p>24 started to go to small claims, yes.</p> <p>25 Q. This proposal, I want to stick</p>
<p style="text-align: center;">S. HALL</p> <p>1 answer what you do know.</p> <p>2 My question is: During</p> <p>3 this -- I'm sorry, again, did you say</p> <p>4 Judith Gobim negotiated with Bob over a</p> <p>5 two-year period?</p> <p>6 A. Yes.</p> <p>7 Q. And during that two-year</p> <p>8 period, as far as know, Judith dealt</p> <p>9 directly with Bob in the negotiations or do</p> <p>10 you not know one way or the other?</p> <p>11 A. I don't know.</p> <p>12 Q. That's fine. So either she</p> <p>13 negotiated with Bob directly or a</p> <p>14 representative of his, correct?</p> <p>15 A. Probably John, yes.</p> <p>16 Q. Can you tell me anything about</p> <p>17 those negotiations what anybody offered to</p> <p>18 do or were trying to do?</p> <p>19 A. I know what we offered at the</p> <p>20 end because I saw papers on it. We thought</p> <p>21 it was brilliant to divide the properties</p> <p>22 entirely so that we wouldn't have to deal</p> <p>23 with each other at all anymore.</p> <p>24 Q. Can you tell me what you mean</p>	<p style="text-align: center;">Page 59</p> <p>1 S. HALL</p> <p>2 on this proposal, do you know what Bob's</p> <p>3 objection was to this proposal or any of</p> <p>4 the proposals that you made?</p> <p>5 A. Bob I believe -- and I hadn't</p> <p>6 talked to him for 25 years before except</p> <p>7 two or three words before he died. But</p> <p>8 prior to that when I was working with him</p> <p>9 and we had somewhat of a civilized</p> <p>10 interface, Bob really deeply felt that</p> <p>11 these were his photographs and that was</p> <p>12 very clear. And he wasn't to divide -- to</p> <p>13 divide the books would have been to</p> <p>14 alienate him from something he cared very</p> <p>15 much about regardless of, you know, what</p> <p>16 was right or agreed or anything else. And</p> <p>17 I did see that.</p> <p>18 Q. All right. So his position and</p> <p>19 I guess you're saying that it was --</p> <p>20 A. -- emotional.</p> <p>21 Q. It was an unfailing and</p> <p>22 consistent position, if you will, that the</p> <p>23 photographs were his and he wanted to be</p> <p>24 the only one to make decisions about</p> <p>25 selling the photos, displaying the photos,</p>

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1	S. HALL		S. HALL
2	how they were used, et cetera?		likely sort of first candidate because your
3	A. Making money on the photos.		lawyer had evidence of him actually using
4	Q. He wanted to be in charge of		the photos separate and apart from the
5	the photos for whatever purpose, right?		book, correct?
6	A. Yes.		A. Yes.
7	Q. So that lasted over a two-year		Q. I have to keep doing that
8	period in the early '90s and I think you		because she has to get it down.
9	said it culminated -- I don't intend to put		A. All right.
10	words in your mouth, it culminated then in		Q. But she didn't file it for you,
11	the small claims suit; is that correct?		you weren't represented by a lawyer?
12	A. It didn't -- I mean, culminate		A. No, I was on my own. We
13	I think is the wrong word. Do you want to		stopped. I spent more money than I had
14	pick another one?		already.
15	Q. Sure. It led to it?		Q. Okay. So you decided to go on
16	A. We gave up negotiating because		your own and file a small claims action?
17	you don't negotiate with Bob.		A. She suggested it.
18	Q. Your negotiations failed, you		Q. I understand. And who actually
19	already indicated was Bob's doing that.		drafted the papers?
20	They failed because you were willing to do		A. I did it.
21	X, he didn't want to do that. All right,		Q. I don't have the actual
22	that's fine. Then you decided to proceed		complaints. Do you have that?
23	with a lawsuit; is that right?		A. I can get it, if you want me
24	A. Judith suggested was the simple		to.
25	way to do is go after it item by item in		Q. Was it handwritten?
	62		64
		Page 63	Page 65
1	S. HALL		S. HALL
2	small claims as a contract issue.		A. I have no idea.
3	Q. Is that what you proceeded to		Q. You don't recall?
4	do?		A. I don't recall.
5	A. Yes.		Q. But you do recall you were the
6	Q. And did you file more than one		one that actually prepared the complaints
7	small claims action since you were --		as opposed to your lawyer?
8	A. I don't think so.		A. I am quite sure.
9	Q. I have to get the question out.		Q. What was the outcome of that
10	Since your plan was to do it		case?
11	book by book, did you file a lawsuit as to		A. John came into that case,
12	each book?		Horan, and I mean he -- I remember him
13	A. No.		coming to court and they persuaded the
14	Q. So what did you do?		judge that it was a federal matter and not
15	A. We started with a case that		a contract matter. And I was exhausted.
16	Judith had papers on from Macmillan where		Q. The judge agreed --
17	Bob used photographs where we had a joint		A. The judge agreed with them,
18	copyright in on a book that was never		yes.
19	published because Bob was fighting with		Q. -- that it was a federal
20	Macmillan. He got \$40,000. We had all of		matter?
21	the papers.		A. Yes.
22	Q. Was that a book he was doing		Q. And then once that occurred,
23	with Ann Beattie.		did you file anything in federal court
24	A. Yes.		after that?
25	Q. So that one seemed like the		A. No.
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1	S. HALL		
2	Q. What was the reason?		1 S. HALL
3	A. I had no money left. I spent	2 public records of the copyright office.	3 And what is the significance of this
4	it all on the lawyers for two years. And	4 document as far as you are concerned?	5 A. All of our copyrights were
5	I -- you know, with Bob also, I mean, he's	6 taken out prior to the period when this	7 copyright was taken out. In other words,
6	never going settle, that became very clear.	8 they are not online, you can't find them	9 there. You have to go to the Library of
7	And endless litigation in federal court was	10 Congress. I think it's worth investigating	11 why Bob took out a copyright notice on the
8	not something I looked forward to.	12 book Gentlemen of Leisure in his name	13 alone, period.
9	MS. STETSON: I would like to	14 Q. So this indicates that	15 Mr. Adelman had a registration in his name
10	take a two-minute break.	16 only for Gentlemen of Leisure, correct?	17 A. Yes.
11	(Whereupon, a luncheon recess	18 Q. Now, you mentioned just now	19 that this exhibit that we were just talking
12	was taken from 12:10 p.m. to 1:09	20 about for Gentlemen of Leisure was after	21 the other copyrights had already been
13	p.m.)	22 registered, is that what you are saying?	23 A. Right.
14	MS. STETSON: For the record,	24 Q. With regard to the six books at	25 issue, who actually, you know, did those
15	we took a break during which Ms. Hall		68
16	went through a bunch of documents		
17	that she brought with her today to		
18	determine if there were any documents		
19	in addition to those that were		
20	previously produced in this case that		
21	she intends to use at the evidentiary		
22	hearing. And she has produced		
23	several pages, which we will have		
24	copied and appended for purposes of		
25	identification as Estate Exhibit 1.		
66			
		Page 67	Page 69
1	S. HALL		
2	It's a composite exhibit that exhibit	1 S. HALL	
3	is five pages.	2 registrations; who actually filled out the	3 applications, if you know?
4	(Estate Exhibit 1, Five-page	4 A. To the best of my recollection,	5 and if you look at it you can see my
5	composite Document marked for	6 handwriting, Viking Press did. I did	7 Street Smart, Gentlemen of Leisure, Down
6	identification, as of this date.)	8 Home, Ladies of the Night. And Two	9 Continents did Out of Left Field. That's
7	Q. Do you have an objection to my	10 to the best of my recollection.	11 A. Two Continents did Left Field?
8	putting a sticker on it?		12 A. Yes.
9	A. If you don't mind, what is on	13 Q. With regard to the	14 registrations that you prepared, did you at
10	the back of it?	15 any time show Mr. Adelman those	16 applications?
11	It's not personal, so I don't	17 A. Yes.	18 Q. Did he sign off on those
12	care.	19 applications?	20 A. Yes.
13	Q. So let's just talk about a	21 Q. Did he actually sign them?	22 A. No, but he said he knew I was
14	these additional documents you produced.	23 doing it and that was my job.	24 A. And with regard to Viking Press
15	And, by the way, based on all	25 and Two Continents, do you know whether he	26
16	of our conversations and our agreement,		
17	et cetera, at this juncture any additional		
18	evidence, documentary evidence, that you		
19	attempt to put on at the evidentiary		
20	hearing that you have not provided us at		
21	this point, we will object to. You		
22	understand that, correct?		
23	A. Yes.		
24	Q. Now, looking at the first page,		
25	this appears to be a printout from the		
67		69	